

**NOT FOR PULICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

EWA PALAK,

Plaintiff,

v.

BJ'S WHOLESALE CLUB, INC., *et al.*,

Defendants.

Civil Action No. 23-138 (SDW) (AME)

**ORDER**

April 7, 2025

**WIGENTON**, District Judge.

Before this Court is the Report and Recommendation (“R&R”) dated March 11, 2025, by Magistrate Judge André M. Espinosa (D.E. 63) recommending granting Defendants BJ’s Wholesale Club, Inc. and Robert Eddy’s motion for sanctions (D.E. 56) and dismissing Plaintiff Ewa Palak’s complaint with prejudice under Federal Rules of Civil Procedure 16(f) and 37(b). Plaintiff objected to the R&R. (D.E. 64.) This Court has reviewed the reasons set forth in the R&R by Judge Espinosa as well as Plaintiff’s objection. This court is satisfied that Judge Espinosa properly determined that Defendants’ motion should be granted. Based on the foregoing, and for good cause shown, it is hereby

**ORDERED** that the R&R of Judge Espinosa (D.E. 63) is **ADOPTED** as the conclusion of law of this Court; and it is further

**ORDERED** that Defendants’ motion for sanctions (D.E. 56) is **GRANTED**, and it is further

**ORDERED** that Plaintiff’s complaint is **DISMISSED WITH PREJUDICE**.

**SO ORDERED.**

*/s/ Susan D. Wigenton*  
**SUSAN D. WIGENTON, U.S.D.J.**

Orig: Clerk  
cc: Parties  
André M. Espinosa, U.S.M.J.